

1 THE HONORABLE THOMAS S. ZILLY
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9 **UNITED STATES DISTRICT COURT**
10 **WESTERN DISTRICT OF WASHINGTON**
11 **AT SEATTLE**

12 REX – REAL ESTATE EXCHANGE, INC.,

13 Plaintiff,

14 v.
15 Defendants.

16 Case No. 2:21-cv-00312-TSZ

17 **THE NATIONAL ASSOCIATION OF**
18 **REALTORS® RESPONSE TO REX**
19 **MOTION TO SEAL**

20 NOTE ON MOTION CALENDAR:
21 July 14, 2023

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1 Pursuant to Local Civil Rule 5(g), the National Association of REALTORS® submits this
 2 Response to REX's Motion to Seal (ECF 399) (the "Motion"). NAR has de-designated all
 3 documents and deposition transcripts subject to the Motion.

4 **I. REX Motion to Seal (ECF 399)**

5 On June 26, 2023, REX filed its Motion to seal the following documents designated by NAR
 6 as Confidential or Confidential – Attorneys' Eyes Only under the Court's Amended Stipulated
 7 Protective Order (ECF 169):

- 8 • Exhibit B (NAR0099846)
- 9 • Exhibit C (NAR0111409)
- 10 • Exhibit M (a copy of the deposition transcript of Bob Goldberg's May 18, 2023)
- 11 • Exhibit N (NAR0026620)
- 12 • Exhibit Q (NAR0025638)
- 13 • Exhibit R (NAR0026027)
- 14 • Exhibit S (NAR0026505)
- 15 • Exhibit T (NAR0034542)
- 16 • Exhibit U (NAR0277951)
- 17 • Exhibit V (NAR0094717)
- 18 • Exhibit W (NAR0262097)
- 19 • Exhibit X (NAR0093195)
- 20 • Exhibit Y (NAR0088553)
- 21 • Exhibit Z (NAR0255246)
- 22 • Exhibit AA (NAR0099992)
- 23 • Exhibit BB (NAR0106499)
- 24 • Exhibit CC (NAR0030940)
- 25 • Exhibit DD (NAR0173888)
- 26 • Exhibit EE (NAR0003762)

- 1 • Exhibit JJ (NAR0041620)
- 2 • Exhibit XX (NAR0001114)
- 3 • Exhibit YY (NAR0000937)

4 **A. NAR's Position**

5 NAR has de-designated the above documents and deposition transcript excerpts under the
6 Amended Stipulated Protective Order.

7 NAR no longer considers these documents Confidential or Confidential – Attorneys' Eyes
8 Only under the Court's Amended Stipulated Protective Order, and, as such, NAR does not join in
9 REX's Motion to Seal and does not oppose filing these exhibits publicly.

10 **II. CONCLUSION**

11 NAR respectfully withdraws all confidentiality designations, does not join in the motion to
12 seal, and does not oppose the filing of the exhibits on the public docket.

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1 DATED: July 10, 2023

2 Respectfully submitted,

3 /s/ Ethan Glass

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26 *Attorneys for Defendant National
27 Association of REALTORS®*

1 **CERTIFICATE OF SERVICE**

2 I certify that on July 10, 2023, I caused a true and correct copy of the foregoing to be filed
3 in this Court's CM/ECF system, which will send notification of such filing to counsel of record.

4 DATED: July 10, 2023

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6 */s/ Ethan Glass*
7 Ethan Glass
8 COOLEY LLP

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